

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE TEAMSTERS
COUNCIL HEALTH & HOSPITAL FUND, by
its Trustees, et. al.

Plaintiffs,

**REQUEST FOR CLERK'S
CERTIFICATE OF
ENTRY OF DEFAULT**

5:09-CV-1184 (DNH)(DEP)

vs.

SPA STEEL PRODUCTS CO., INC.

Defendant.

Pursuant to Fed. R. Civ. P. 55(a) and L.R. 55.1, the plaintiffs, the New York State Teamsters Council Health & Hospital Fund by its Board of Trustees, request a Clerk's certificate of entry of default based on the accompanying affirmation that the party against whom the judgment is sought:

- 1) is not an infant or incompetent person;
- 2) is not in the military service;
- 3) was properly served under Fed. R. Civ. P. 4 and proof of service having been filed with the Court;
- 4) has defaulted in appearance in the above-captioned action.

PARAVATI, KARL, GREEN & DEBELLA

By:/s/ Vincent M. DeBella, Esq.

Dated: November 24, 2009

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